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C O N F I D E N T I A L SECTION 01 OF 02 AMMAN 006118

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FOR L AND NEA

E.O. 12958: DECL: 07/31/2015

TAGS: [PREL](#) [I2](#) [JO](#)

SUBJECT: GOJ REQUEST FOR "STATEMENT OF INTEREST" IN U.S.
COURT CASE BROUGHT BY AHMAD CHALABI

Classified By: CDA David Hale for Reasons 1.4 (b), (d)

[1](#)1. (U) This is an action request. See paragraph 4.

[1](#)2. (C) In a July 31 meeting with Charge (septel), Foreign Minister Qasrawi presented a non-paper asking that the U.S. government file a "statement of interest" in the suit brought against the GOJ by Iraqi Deputy PM Ahmad Chalabi before the U.S. District Court for the District of Columbia. Qasrawi stated that he did not understand why Chalabi was pursuing this case since a committee at the Royal Court was actively working to resolve his dispute with Jordan. He said that the GOJ was very concerned about the possible negative consequences of the court action. Charge replied that he would raise this issue with Washington and follow-up with a response. Qasrawi emphasized the urgency of the matter.

[1](#)3. (SBU) The text of the non-paper is as follows:

Possible Intervention by the Esteemed Department of State in a Lawsuit Brought by Ahmad Chalabi Against the Hashemite Kingdom of Jordan, the Central Bank of Jordan and Two Former Top Jordanian Government Officials Before a U.S. Court

1 - Background

Ahmad Chalabi has brought a complaint against the Hashemite King of Jordan, the Central Bank of Jordan and two former high ranking Jordanian officials in the United States of America, District Court for the District of Columbia, asserting claims arising from Jordan's regulatory seizure and liquidation of a Jordanian bank (Petra Bank) in 1989-90.

Chalabi advances claims based on alleged recent diplomatic communications between the United States and Jordan, specifically an alleged request by Jordan that the United States assist in extraditing Chalabi to Jordan, and alleged diplomatic communication, at the highest level in both countries, in which he claims that Jordan accused him of informing the Iranian Government that the United States has broken the Iranian encryption code.

It is evident that Chalabi is attempting to utilize this lawsuit for political ends and political propaganda.

2 - Request

The Government of Jordan believes it would be inappropriate for a U.S. court to adjudicate a case that necessarily intrudes upon Jordanian sovereignty in the conduct of (i) its diplomatic relations with the United States, including as to their collaborative efforts on Iraq, and (ii) its regulations of its own banking industry.

Furthermore, the presentation of this case would, most likely, involve attempts by Chalabi to develop evidence that could include the calling of witnesses at the highest levels of the Jordanian and United States' Governments.

It is our understanding that the United States Executive Branch is authorized by statute to make its views known, in the form of a "Statement of Interest," to U.S. courts presiding over such sensitive cases. It is our understanding that such "Statements of Interest" are often prepared by the U.S. Department of States in coordination with the U.S. Department of Justice. We understand that the U.S. courts accord considerable deference to the views expressed in such Statements of Interest, including on motions to dismiss at an early stage of litigation.

The adjudication of this suit would, inevitably, constitute an unwelcome intrusion on Jordan's sovereignty, particularly in light of the excellent, friendly relations that exist between Jordan and the United States.

There are substantial precedents where the Department of State, in conjunction with the Department of Justice, has submitted statements in support of a foreign sovereign. Many of these statements are identified on the Department of State's own website.

The Ministry of Foreign Affairs would be grateful should the esteemed Department of State give positive consideration for submitting a "Statement of Interest" to the relevant U.S. court in this particular case as outlined above.

The Ministry of Foreign Affairs would immensely appreciate a timely action by the esteemed Department of State on this matter of high concern, especially in light of the excellent, friendly relations that exist between Jordan and the United States.

July 31

14. (C) Post requests guidance on providing a response to the GOJ on this matter.
HALE